

# UNITED STATES DISTRICT COURT

for the

Southern District of Georgia  
Statesboro Division

United States of America

v.

Samuel Brown

Date of Previous Judgment: December 10, 2007

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR606-00026-015

) USM No: 12993-021

) Tom A. Edenfield

) Defendant's Attorney

2008 SEP 25 AM 11:02

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 21

Criminal History Category: I

Previous Guideline Range: 37 to 46 months

Amended Offense Level: 21

Criminal History Category: I

Amended Guideline Range: 37 to 46 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

### III. ADDITIONAL COMMENTS

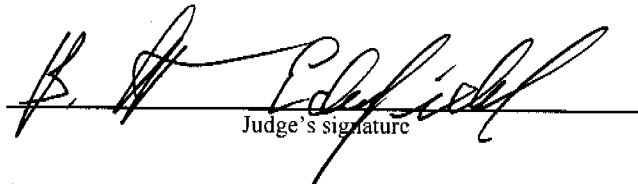
The defendant's offense level was not determined based on quantities of cocaine base. Rather, the defendant's offense level was determined based on quantities of cocaine hydrochloride. As such, he is not eligible for a reduction in sentence.

Except as provided above, all provisions of the judgment dated December 10, 2007, shall remain in effect.

IT IS SO ORDERED.

Order Date:

9-23-08

  
Judge's signature

B. Avant Edenfield  
United States District Judge  
For the Southern District of Georgia  
Printed name and title

Effective Date:

(if different from order date)